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In re Application of	:	
Henry Falk et al	:	
Application No. 10/762,852	:	ON PETITION
Filed: January 22, 2004	:	
Attorney Docket No. SIRF.P244	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 20, 2008, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to timely pay the issue and publication fees on or before January 5, 2007, as required by the Notice of Allowance and Fee(s) Due, mailed October 5, 2006, which set a statutory period for reply of three (3) months. This petition can not be granted until the Issue fee payment is received. Accordingly, the application became abandoned on January 6, 2007.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D). The instant petition lacks item(s) (1).

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
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 P. O. Box 1450
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By hand: U. S. Patent and Trademark Office
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 Randolph Building
 401 Dulany Street
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The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3210.

A handwritten signature in cursive script, appearing to read 'Irvin Dingle', is positioned above the printed name.

Irvin Dingle
Petition Examiner
Office of Petitions